

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TYLER J. STEPHENS,

Defendant.

4:16CR3044

ORDER

Defendant has moved to continue defendant's change of plea hearing. ([Filing No. 32](#)). As explained by counsel, the defendant is currently recovering from a medical condition and counsel is hiring an expert to evaluate defendant's competency to enter a plea. The motion to continue is unopposed. Based on the representations of counsel, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, ([filing no. 32](#)), is granted.
- 2) The defendant's plea hearing will be held before the undersigned magistrate judge on January 10, 2017 at 3:00 p.m.. The defendant is ordered to appear at this hearing.
- 3) For the reasons stated by counsel, the Court finds that the ends of justice served by continuing defendant's plea hearing outweigh the best interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and the district court judge's acceptance or rejection of the anticipated plea of guilty shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

Dated this 27th day of October, 2016

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge